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UNCLAS SECTION 01 OF 02 BELGRADE 000297

SIPDIS

SENSITIVE

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E.O. 12958: N/A

TAGS: [KPAO](#) [PBTS](#) [PGOV](#) [PHUM](#) [PINR](#) [PREL](#) [SR](#)

SUBJECT: SERBIA: SAMARDZIC'S PROPOSAL TO UN: IT'S ALL DOMESTIC PARTY POLITICS

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SUMMARY

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¶1. (SBU) Making full use of the ambiguity surrounding a caretaker regime, Prime Minister Kostunica empowered his Kosovo Minister and chief advisor Slobodan Samardzic to offer an interim agreement with UNMIK. President Tadic's party has complained that its government ministers were not given a chance to approve the offer. Text of the proposal has been emailed to EUR/SCE. End Summary.

THE OFFER

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¶2. (SBU) On March 24, Democratic Party of Serbia (DSS) Vice President and Minister for Kosovo Slobodan Samardzic told Serbian daily Politika that the GOS had offered UNMIK a proposal for "functional separation" of police, judiciary and customs for Kosovo Serbs and Albanians. Although the GOS "accepts [that] UNSCR 1244" gives UNMIK authority over these matters, Samardzic said Kosovo's declaration of independence made it so they "can only be implemented by Serbs with the help of Serbia." UN Office Belgrade political officer told poloff on March 21 that Samardzic had expressed the goal of the proposal was part of a continuing dialog between the GOS and UNMIK, and to deal with "the reality on the ground" in Kosovo.

DSS INSISTS PROPOSAL IS LEGAL

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¶3. (SBU) In a March 26 meeting with the DCM, DSS vice president Milos Aligrudic spun the proposal as a "ministry agreement" that did not require government consultations.

Aligrudic said that the Kosovo Ministry was the "competent authority" to make such a "legal offer." Aligrudic claimed that he did "not have details" of the proposal but that he understood the basis to be "cooperation with UNMIK" to prevent "escalation" in Kosovo. In response to DCM's continued questioning of the legal status of the proposal and under what legal basis it was being sent to the UNSC, Aligrudic could only shrug.

DS/G17 COMPLAIN

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¶4. (SBU) Both coalition partners of the outgoing government complained that Samardzic's offer was not cleared by other government ministers. Beta news service reported G17 leader and Economics Minister Mladjan Dinkic (G17) said on March 24 that he did "not understand" why the GOS made a "secret" offer to UNMIK without government discussion. Democratic Party (DS) vice president and Defense Minister Dragan Sutanovac blasted Kostunica and Samardzic for making the offer without consultations, saying officials "who think that they can stage everything behind the scenes are wrong." Sutanovac and Sports Minister Snezana Markovic (G17) told the Ambassador that the DS and G17 were up in arms over this. Minister for the National Investment Plan, Dragan Djilas (DS), told the DCM on March 25 that the government had not been informed or consulted on Samardzic's plan. Samardzic dismissed the complaints, saying such policy could not be public "nor can we ask the members of government if they agree with every step...When any kind of agreement is initiated, the government only receives [it] when it is in its final stages or has already been made."

EXCEPT FOR JEREMIC

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¶5. (U) Foreign Minister Jeremic (DS) has not complained about Samardzic's proposal or lack of governmental agreement. Jeremic told Serbian daily Glas Javnosti on March 23 that an "interim agreement" between UNMIK and the GOS would be welcome, "to find some common ground" and "clearly define mutual cooperation in this new situation, so as to avoid new conflict with unforeseeable consequences."

COMMENT

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¶6. (SBU) There are external and domestic motivations for this (legally dubious) proposal. Kostunica and Samardzic want to prolong UNMIK authority over Kosovo based on UNSCR 1244 and to legitimize GOS parallel institutions in Kosovo Serb areas. Domestically, the DSS is using the ambiguity of a caretaker government's competencies to keep framing the pre-election campaign about Serbia's struggle for Kosovo. This keeps them ahead of the Radicals on practical policy initiatives and attempts to squelch the DS coalition's pro-European message. And Foreign Minister Jeremic seems to be trying to have it both ways, claiming loyalty to his party and to the Prime Minister. In any event, we expect Samardzic's proposal will die at the UN as it seems to create UNMIK and Serbia as the only relevant interlocutors on Northern Kosovo. End Comment.

